

**THE HONORABLE MARY JO HESTON
CHAPTER 13**

HEARING DATE: February 3, 2020

HEARING TIME: 1:00 P.M.

LOCATION: Tacoma, Washington

RESPONSE DATE: January 27, 2020

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

In re:

QUENIYA MARKEYTTA LASSITER
and
LARRY DEMETRIUS MAYS,

Debtors.

Case No.: 19-43910-MJH

TRUSTEE'S OBJECTION TO CONFIRMATION
WITH STRICT COMPLIANCE

COMES NOW, Michael G. Malaier, Chapter 13 Standing Trustee, and objects to
confirmation as follows:

BACKGROUND

Debtors filed this Chapter 13 case on December 7, 2019. The applicable commitment period is sixty months. The case is currently in the second month and the Meeting of Creditors has not yet been completed. The bar date for filing non-governmental claims is February 18, 2020. Scheduled unsecured claims total \$199,993.00, and scheduled priority claims total

1 \$21,500.00. Debtors propose to pay at least \$102,965.40 to allowed nonpriority unsecured
2 claims.

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4 **OBJECTION**

5 ☒ Schedules or other documentation insufficient:

6 Trustee has requested, but not yet received, evidence of Debtors' claimed childcare
7 expenses.

8 ☒ Other:

9 (1) Debtors have not filed all required tax returns. Prior to confirmation a debtor
10 must have "filed all applicable Federal, State, and local tax returns as required by
11 section 1308." 11 U.S.C. § 1325(a)(9). Under section 1308(a), a debtor must
12 file all applicable tax returns for the 4-year period ending on the date of the filing
of the petition. Pursuant to the Internal Revenue Service's Proof of Claim
(Claim 11-1), debtor has not filed the 2016, 2017, 2018 tax returns.
Confirmation should be denied until such time as the returns are filed.

13 (2) Trustee has not yet been able to verify Mr. May's identification and social
14 security number or taken his section 341 testimony. Trustee reserves the right to
raise additional objections once testimony has been completed.

15 **WHEREFORE**, Trustee requests that the objection to confirmation be sustained and
16 Debtors be ordered to file a motion to confirm a plan resolving the issues raised herein within
17 14 days of entry of the Order Sustaining Trustee's Objection to Confirmation; and to set the
18 hearing on the next available motion calendar after the 14 days expires. If the Motion to
19 Confirm resolving the Trustee's issues is not filed and set for hearing as outlined above, the
20 Trustee requests he be allowed to enter an order dismissing the case, *ex parte*, without notice.
21

22 **DATED** this 17th day of January, 2020.

23
24 /s/ Mathew S. LaCroix

25 Mathew S. LaCroix, WSBA# 41847 for
Michael G. Malaier, Chapter 13 Trustee

1 **CERTIFICATE OF MAILING**

2 I certify under penalty of perjury under the laws of the United States I caused to be
3 mailed via first class mail a true and correct copy of Trustee's Objection to Confirmation to the
4 following:

5 Queniya Markeytta Lassiter
6 Larry Demetrius Mays
7 417 E. 62nd Street
8 Tacoma, WA 98404

9 The following parties received notice via ECF:

10 Ellen Ann Brown
11 U.S. Trustee

12 Executed at Tacoma, Washington this 17th day of January, 2020.

13 /s/ Tracy Maher
14 Tracy Maher
15 Motion Coordinator for
16 Chapter 13 Trustee
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